IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/006,089
Filed: December 6, 2001
Inventor:
Gary Cole

Title: System and Method for Managing Information Objects

Examiner: Yigdall, Michael J.
Group/Art Unit: 2192
Atty. Dkt. No: 5681-96802

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Robert C. Kowert
Name of Registered Representative

Signature Sept. 7, 2005 Date

PRE-APPEAL BRIEF REQUEST FOR REVIEW

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated below.

Claims 1-4, 6-12 and 14-33 are pending in the application. Reconsideration of the present case is earnestly requested in light of the following remarks. Please note that for brevity, only the primary arguments directed to the independent claims are presented, and that additional arguments, e.g., directed to the subject matter of the dependent claims, will be presented if and when the case proceeds to Appeal.

Claims 1-4, 6-12 and 14-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gwertzman et al. (U.S. Patent 6,189,000) (hereinafter "Gwertzman"). Applicant notes the following clear errors in the Examiner's rejection.

Applicant submits that the Examiner has failed to provide support for a *prima facie* rejection of claims 1, 20, and 26. For example, Gwertzman clearly does not disclose an identity index that comprises a virtual identity that in turn comprises a plurality of information object identifiers each corresponding to a respective information object, and for each information object, a resource name identifying a resource at which the respective information object is located, wherein the resource name is associated with the respective information object identifier; and wherein the identity index further comprises a resource definition corresponding to each respective named resource, wherein the resource definition further comprises connection information, as recited in Applicant's claims.

As described in Applicant's previous response, Applicant's claimed invention pertains to a particular type of data structure, an identity index, for use in managing user information objects. One embodiment of an identity index is illustrated in Applicant's FIG. 3. The identity index includes a virtual identity (e.g., 312). The virtual identity includes a plurality of information object identifiers (e.g., 350) each corresponding to a respective information object (e.g., 342, 344 and 346). The virtual identity also includes, for each information object, a resource name (e.g., Reso01, Reso02 (353) and Reso03) identifying a resource (210, 212 and 214) at which the respective information object is located, wherein the resource name is associated with the respective information object identifier (e.g., JANE_D, janed (352) or JaneD). The identity index further includes and resource definitions (e.g., 360, 362 and 364), each of which includes connection information (e.g., 368).

Gwertzman does not teach a data structure for an identity index as recited in Applicant's claims. In contrast, Gwertzman teaches "a storage-mechanism interface." In Gwertzman, "instead of having to indicate a path to the storage mechanism and the actual name of the data structure, the application developer needs only to call the data structure a logical name (e.g., 'foo') and the storage-mechanism interface takes care of properly locating and identifying the storage mechanism and the data structure (i.e., providing the actual name of the data structure)." Gwertzman -- col. 6, lines 59-65. Gwertzman's storage-mechanism interface is a programmatic interface called by application developer code. An application developer using Gwertzman invention would only have to use the logical name for a data structure and Gwertzman's storage-mechanism interface uses the logical name as an index to look up the full path name in a database.

Gwertzman does not teach the particular data structure of an identity index that comprises a virtual identity that in turn comprises a plurality of information object identifiers each corresponding to a respective information object, and for each information object, a resource name identifying a resource at which the respective information object is located, wherein the resource name is associated with the respective information object identifier; and wherein the identity index further comprises a resource definition corresponding to each respective named resource, wherein the resource definition further comprises connection information, as recited in claim 1.

In response to Applicant's arguments above, the Examiner argues, in the Response to Arguments section of the Final Action, that Gwertzman's database corresponds to the identity index in Applicant's claim because the database comprises logical names or virtual identities that in turn comprise the actual names of data structures. The Examiner is incorrect. Gwertzman teaches that an entry in his database "includes a field indicating the path name to the storage mechanism associated with the logical name and the actual name of the data structure containing the desired property." Gwertzman's database entry also includes "a field containing a user identity for that storage mechanism or containing a property" (Gwertzman, column 7, lines 1-8). Thus, each entry in Gwertzman's database includes a logical name, a path name (to the storage mechanism), the actual name of the data structure, and a user identity.

Additionally, each of the entries in Gwertzman's database, which the Examiner equates to virtual identities, contains information regarding only a *single* logical name mapped to a *single* path name. The Examiner cites column 8, lines 28-30 and argues that Gwertzman's database entries may contain a plurality of information object identifiers. However, the cited passage is describing using the DepObject and DepProp fields of the configuration information in TABLE 1. Specifically, Gwertzman teaches that DepObjects and DepProp fields may be used to "instantiate a second object using information obtained from a first, already instantiated object". Gwertzman is not describing anything about the entries in his database, which the Examiner equates to an identity index. Instead, Gwertzman is discussing a way to duplicate an already instantiated programming object, especially for use with grouping properties by cross-linking between two storage mechanisms (Gwertzman, column 8, lines 28-42). No mention is made, either at the Examiner's cited passages or elsewhere, regarding a virtual identity that comprises *a plurality* of information object identifiers each corresponding to a respective information object.

Furthermore, Gwertzman's database entries do not contain *resource definitions*. The Examiner cites column 8, lines 3-25 of Gwertzman and argues that TABLE 1 of Gwertzman includes connection information. However, TABLE 1 of Gwertzman illustrates information used to initialize an ObjectInfo object used as part of creating Gwertzman's storage-mechanism interface as a COM object. Gwertzman's TABLE 1 is not a part of Gwertzman's database. Nowhere does Gwertzman describe TABLE 1 as being part of, of as describing, the database, which the Examiner equates to an identity index. Instead, Gwertzman states that TABLE 1 defines configuration information utilized to initialize the storage-mechanism COM object (Gwertzman, column 7, line 67 – column 8, line 20). Since Gwertzman does not include connection information in resource definitions in the entries of his database, Gwertzman cannot be said to anticipate Applicant's claim 1.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As Gwertzman does not disclose the particular structure of the identity index of Applicant's claimed invention, Gwertzman clearly does not anticipate Applicant's claims.

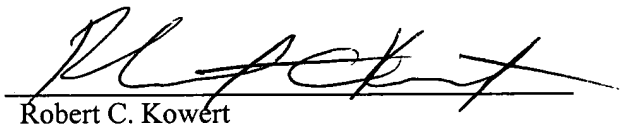
The Examiner's rejection of many of the dependent claims is additionally erroneous. For example, the cited art is clearly insufficient to support the rejection of claims 2, 3, 10, 11, 17, 21, 24, 25, 31 and 32, as discussed in detail in Applicants' previous response on page 2.

In light of the foregoing remarks, Applicant submits the application is in condition for allowance, and notice to that effect is respectfully requested. If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505/5694-00200/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard
☒ Notice of Appeal

Respectfully submitted,



Robert C. Kowert
Reg. No. 39,255
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850

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